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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

JACOB FOWLES,

Plaintiff,

v.

**EQUIFAX INFORMATION
SERVICES LLC,**

Defendant.

Case No. 3:18-cv-164

COMPLAINT

15 U.S.C. § 1681 et seq.
Fair Credit Reporting Act

Demand for Jury Trial

1.

JURISDICTION AND THE PARTIES

This Court has jurisdiction under 15 U.S.C. § 1681p.

2.

Plaintiff Jacob Fowles is an individual and a “consumer” as defined by the Fair Credit Reporting Act (FCRA) at 15 U.S.C. § 1681a(c).

3.

Defendant Equifax Information Services, LLC (Equifax) is a Georgia limited liability company and a consumer reporting agency as defined by the FCRA at 15 U.S.C. § 1681a(f).

4.

FACTUAL ALLEGATIONS

This complaint’s allegations are based on personal knowledge as to plaintiff’s conduct, and made on information and belief as to the acts of others.

5.

In or around February 2016, plaintiff became aware he was the victim of false credit reporting. Plaintiff had received multiple alerts from his credit monitoring company that negative accounts belonging to his brother were showing up on his Equifax credit report.

6.

Equifax prepared and issued consumer credit reports concerning plaintiff that included inaccurate information, including a false social security number and false inquires and negative accounts with a balance and an amount past due that belonged to plaintiff's brother.

7.

In or around July 2016, plaintiff began notifying Equifax about its false credit reporting and that he disputed the accuracy of the information on his Equifax credit report. Equifax refused to provide plaintiff copies of his credit report upon request, and Equifax refused to delete or block all the false information from plaintiff's report.

8.

CLAIMS FOR RELIEF

Claim One against Equifax

Negligent Noncompliance with the FCRA

Plaintiff re-alleges and incorporates paragraphs 1 through 7. Equifax negligently failed to comply with the requirements of the FCRA. As a result of Equifax's failure to comply with the requirements of the FCRA, plaintiff has suffered and continues to suffer, actual damages, including economic loss, lost opportunity to receive credit, damage to reputation, emotional distress and interference with plaintiff's normal and usual activities for which plaintiff seeks compensation in an amount to be determined by the jury.

9.

Plaintiff requests reimbursement for his attorney fees under 15 U.S.C. § 1681o(a).

10.

Claim Two against Equifax

Willful Noncompliance with the FCRA

Plaintiff re-alleges and incorporates paragraphs 1 through 7. Equifax willfully failed to comply with the requirements of the FCRA. As a result of Equifax's failure to comply with the requirements of the FCRA, plaintiff has suffered and continues to suffer, actual damages, including economic loss, lost opportunity to receive credit, damage to reputation, emotional distress and interference with plaintiff's normal and usual activities for which plaintiff seeks compensation in an amount to be determined by the jury. Plaintiff also requests punitive damages in an amount to be determined by the jury.

11.

Plaintiff requests reimbursement for his attorney fees under 15 U.S.C. § 1681n(a).

12.

JURY TRIAL DEMAND

Plaintiff is entitled to and so respectfully demands a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, plaintiff prays for judgment against Equifax for actual damages and punitive damages in amounts to be decided by the jury, and for attorney fees and costs in an amount to be decided by the Court.

January 26, 2018

RESPECTFULLY SUBMITTED,

s/ Michael Fuller

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